

Workplace Violence Prevention Manager Training

Disclaimer: The Personnel Cabinet encourages agencies to utilize this PowerPoint training module when providing information and resources to their employees. This PowerPoint incorporates the policies adopted and encouraged by the Personnel Cabinet related to workplace violence. Please review this PowerPoint and the incorporated policies prior to the use of this module.

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Objectives

- Familiarize supervisors with major components of the Workplace Violence Prevention Guide.
- Provide examples of corrective or disciplinary actions for unacceptable conduct.
- Identify behavioral indicators and warning signs.
- Emphasize the importance of early intervention.
- Promote personal security measures.
- Emphasize the importance of reporting threatening behaviors.
- Emphasize the importance of record keeping.
- Identify basic emergency procedures.



Definitions

Employee: As used in KRS 18A.355 "employee" means any officer or employee of the executive branch of government.

Workplace: any location either permanent or temporary where an employee performs any work-related duty. This includes, but is not limited to, the buildings and surrounding perimeters, including the parking lots, field locations, employees' homes and traveling to and from work.

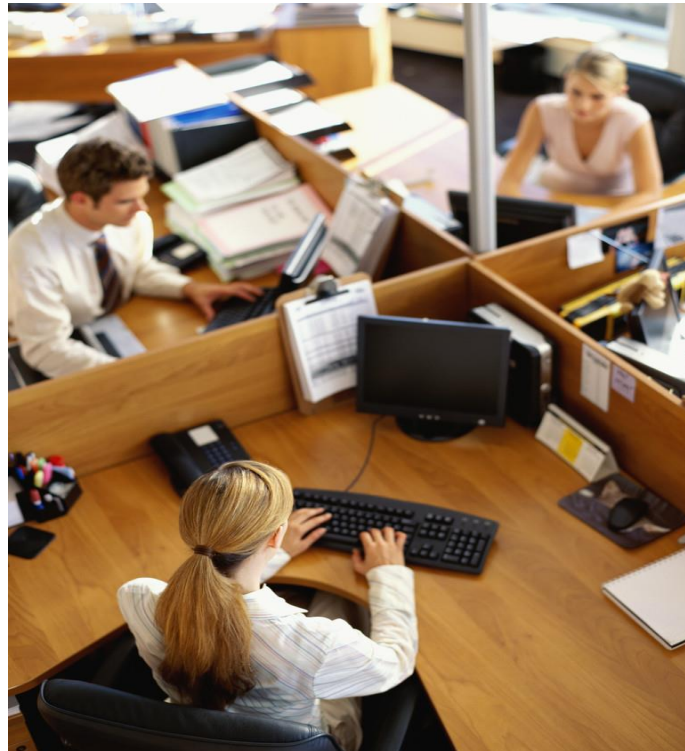
Workplace Violence: any incident in which a worker experiences physical assault, threatening behavior, coercion or verbal abuse resulting in physical, emotional, psychological harm occurring in the work setting.

Threat:

1. An expression of an intention to inflict evil, injury, or damage; or
2. One that threatens; or
3. An indication of something impending.

Workplace Violence Prevention

Purpose: To create an atmosphere where employees understand that workplace violence is unacceptable and can seek support without retaliation to help prevent disruptive behavior in the workplace.



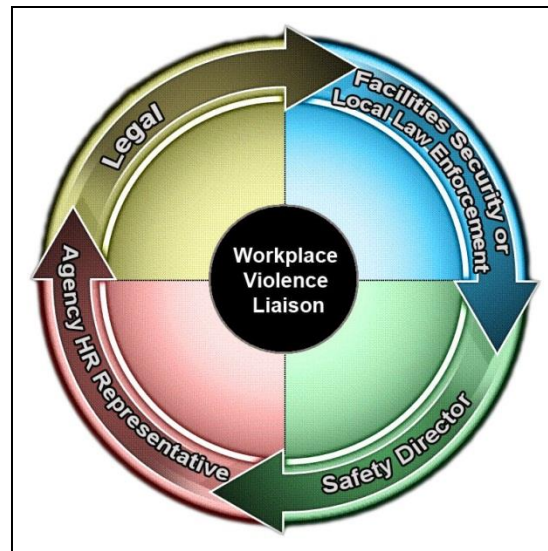
Supervisor Responsibilities

- Create an atmosphere of fairness and respect.
- Be familiar with the Commonwealth's Workplace Violence Prevention policies and guide.
- Detect behavioral concerns early and make prompt referral to KEAP.
- Document and report all warning signs and incidents to next line supervisor or any member of the agency consulting team.

Agency Consulting Team Functions

Although not currently mandated by an Executive Order, it is suggested that Each agency should have an agency consulting team whom employees may go to with concerns . The purpose of the team is to:

- Provide guidance and training.
- Coordinate services.
- Make decisions when faced with potential workplace violence situations.
- Have representation from interagency professionals.



Agency Consulting Team Roles & Responsibilities

Safety Director: Knowledgeable regarding physical hazards in the workplace. Those agencies without a Safety Director, should consider coordination with your agency's Safety Administrator or Coordinator.

HR Representative: Knowledgeable and experienced with agency work processes and the locations where these processes are performed.

Legal: Helps to ensure that an agency workplace violence program and incident response is in accord with federal and state statutes.

Facilities Security: Assist in coordinating services with other state and local emergency service personnel. Those agencies without Facilities Security staff, should consider coordination with local law enforcement officials.

Workplace Violence Liaison (WVL)

The Workplace Violence Liaison is one of the most critical components of this team model.

Their responsibilities include:

- Coordinating prevention initiatives, trainings and workshops.
- Addressing information and assistance on workplace violence issues.
- Reporting incidents of workplace violence to the Personnel Cabinet's KEAP Program.
- Coordinating the development of agency worksite plans and post-workplace violence incident reports.
- Ensuring managers and supervisors consult with KEAP when warning signs of workplace violence are present.
- Copying all necessary personnel including the Agency's Consulting Team on pertinent workplace violence issues.

The WVL will identify, with agency management, the types of workplace violence prevention initiatives which are appropriate to meet agency needs and employees who should receive training.

Employee Participation

One method to involve your employees is through the use of employee participation groups. Employees may be in the best position to identify areas of concern since they work in the immediate area and know the specific issues related to the environment and job tasks. Groups should consist of a cross section of employees reflecting a wide range of work functions and levels, as perceptions of issues and threats vary from person to person.

Discussion points could include general perceptions on overall feelings of safety, possible remedies, limitations to constructive changes, and other similar considerations. The information gained should be considered when designing the prevention program.



Contributing Factors

When personal issues combine with work related issues, for some individuals the outcome could be dangerous.

Some examples of these contributing factors include:

- High stress levels
- Financial difficulties
- Substance abuse
- Mental health issues
- Interpersonal issues



Unacceptable Conduct

- ❌ Threats of harm.
- ❌ Displaying a weapon or an object that looks like a weapon.
- ❌ Intimidating or threatening, verbally, in writing or by gesture.
- ❌ Physically attacking another person.
- ❌ Behavior that gives a state worker or a member of the public reasonable cause to believe that their health or safety is a risk, such as stalking or harassment.
- ❌ Disobeying or failing to follow the reasonable directive of a supervisor to take action or cease actions which create a risk to the health or safety of a state employee or the public.

Violation of this section shall constitute grounds for disciplinary action and referral for criminal prosecution.

Corrective And Disciplinary Actions

The Commonwealth provides a number of available options to address workplace violence or conflict depending on the specific conditions and the severity of the behavior(s). Established procedures must be followed when taking corrective or disciplinary action. When using corrective or disciplinary action in response to a potentially violent workplace event, **consult agency legal counsel** and notify the WVL within 24 hours.

Additionally, immediately after actual or threatened violent events, there may exist the need to remove the employee immediately from the worksite, while disciplinary action may be pending.

Examples of Corrective or Disciplinary Actions

Agency Directed Sick Leave

- If an employee has demonstrated behavior that might endanger himself or others, an appointing authority may send this employee home on sick leave, pursuant to 101 KAR 2:102 Section 2(a)(4). This “agency directed sick leave” may be with or without pay, and the employer can require the employee to produce an acceptable certificate from a medical health professional which certifies the employee’s fitness to return to duty before the employee may return to work.

Special Investigative Leave

- An agency may elect, with the approval of the Personnel Cabinet Secretary, to place an employee on special investigative leave to investigate an allegation of misconduct. The employee is sent immediately home on paid leave for a period not to exceed 60 work days. This provides the agency time to gather information and appropriately investigate the claim. If the investigation reveals no misconduct, the employee is permitted to return to work and all references to the investigation are removed from the employee’s file. Agencies should refer to 101 KAR 2:102, Section 8 for more information.

Behavioral Indicators

- Excessive tardiness or absences
- Reduced productivity
- Strained workplace relationships
- Violations of safety procedures
- Unusual behavior
- Substance abuse
- Excuses and blaming
- Increased need for supervision
- Inconsistency
- Sustained inability to concentrate
- Change in health or hygiene
- Fascination with weapons
- Stress
- Depression

Being able to identify behaviors that signal performance or behavioral deterioration **EARLY** is very important. The sooner you can get an employee to helping resources the better for the employee and the agency.

Contact the Kentucky Employee Assistance Program to learn how to address these concerns and make a referral to the program.

502-564-5788 / 1-800-445-5327

Warning Signs

Research conducted by the FBI's National Center for the Analysis of Violent Crime (NCAVC) has revealed that there are behavioral indicators that may lead to increased risk of violence.

The following list of behaviors should be viewed with concern:

- ⚠️ A history of violent behavior on or off the job.
- ⚠️ Direct or veiled threats of harm to self or others.
- ⚠️ Intimidation, belligerence, bullying or other inappropriate behavior directed at others.
- ⚠️ Numerous conflicts with supervisors and employees.
- ⚠️ Physically touching another employee in an intimidating, malicious, or sexually harassing manner, including such acts as hitting, slapping, poking, kicking, pinching, and grabbing.
- ⚠️ Verbal comments indicating expressions of hostility directed at coworkers, supervisors, or others, such as name-calling and obscene language.

Warning Signs

- ⚠ Hostility towards a specific group of co-workers.
- ⚠ Extreme jealousy towards partner.
- ⚠ Frequently calling, texting, emailing, stalking or otherwise contacting partner.
- ⚠ Bringing a weapon to work (when weapons are not part of the job).
- ⚠ Making inappropriate references to guns or exhibiting an unusual fascination with weapons.
- ⚠ Fascination with incidents of workplace violence.

Warning Signs

- ⚠ Statements indicating approval of the use of violence to resolve problems.
- ⚠ Statements indicating identification with offenders of workplace homicides.
- ⚠ Threats of suicide or homicide.
- ⚠ Statements indicating an increased tone of desperation or feelings of hopelessness about a situation at work, with family, or with financial and other personal problems.
- ⚠ Signs of abuse of drugs/alcohol on or off the job.
- ⚠ Extreme changes in behaviors or mood swings.

Any employee who exhibits one or more of these indicators may be in need of assistance or intervention.



Personal Safety

Employees should put themselves in the safest position possible. This may include such things as going to a "safe area," remaining at a work station, using furniture as a shield, or exiting the building.

Agencies should establish escape routes and should usually be the same as those used for fire drills and bomb threats, so that employees are not expected to remember different procedures for different emergencies. The escape routes should not be used until it is safe to do so.

A code word or phrase should be established by the individual worksite, so that employees who feel threatened by a client or customer and need assistance can get help without alerting the offender.

Personal Safety

Safety plans should be created for situations of domestic violence and stalking in consultation with the victim and with domestic violence and stalking programs.

Employees should:

- try to remain calm.
- not argue with or interrupt the individual.
- cooperate with the individual, and give them their complete attention.
- not attempt to disarm the individual.
- not attempt to protect property or possessions over personal safety.



Personal Safety

The Commonwealth's most important concern is your personal safety, therefore all reported threats will be taken seriously!

Consistent with the Commonwealth's Workplace Violence Prevention Guide, threats or acts of physical violence including intimidation, harassment or coercion which involve or affect state employees or which occur on state property shall not be tolerated.

Threats or acts of violence include conduct against persons or property that is sufficiently severe, offensive or intimidating to alter the conditions of state employment or to create a hostile, abusive, or intimidating work environment for one or more state employees.

Employees are encouraged to report all threats and threatening behavior immediately to their supervisor, the WVL, or a member of the Agency Consulting Team.

Personal Safety

Employees who have been the target of a threat should be encouraged to take appropriate safety precautions, which may include but are not limited to:

- Changing travel patterns to and from work.
- Getting an unlisted personal phone number and/or carrying a cell phone.
- Evaluating home security.
- Establishing check-in times with friends, family, and the workplace.
- Temporarily relocating away from home.
- Notifying law enforcement authorities that have jurisdiction where the employee lives and works.

Situations Involving Client or Customer Actions

Individuals receiving services; includes current or former customers, clients, patients, passengers, students, residents, parolees, criminal suspects, inmates.

Workplace violence* can be committed in or outside the workplace while an employee performs job-related functions. Any conflict originating in the workplace even if extended beyond working hours can be classified as an act of workplace violence.

Possible responses may be complicated due to legal obligations and entitlements.

Contact your WVL or local law enforcement, if necessary.

Options may include reassigning the client to a different location, arranging appointments around adequate security and providing services with additional staff present.

***Workplace violence:** any incident in which a worker experiences physical assault, threatening behavior, coercion or verbal abuse resulting in physical, emotional, psychological harm occurring in the work setting.

Situations Involving Stalking or Domestic Violence

Employees who disclose being victims of domestic violence or stalking will not be disciplined solely for being victims. Additionally, employees who seek batterer's intervention services voluntarily will not be disciplined for doing so.

Domestic violence and stalking are unacceptable behaviors and offenders may be disciplined, up to dismissal, for either using workplace resources to commit domestic violence or stalking.

Supervisors should safeguard all information regarding domestic violence or stalking to the extent that disclosures are necessary to protect the safety of other staff.



Stalking or Domestic Violence

Employees should be supported in taking time off (paid or un-paid) to attend court, receive counseling, medical care, re-locating offices or telecommuting, and creating safety plans. **An agency may want to encourage their employees to provide copies of all protective orders from Kentucky (or other states) as well as a picture of the offender.**

When a person in an abusive relationship takes steps toward safety, risk increases. For example, it is common for the abuser to escalate violence as attempts to separate are made. Managers should inform the employee about the assistance available through KEAP and community resources.

For additional information and resources:

<http://chfs.ky.gov/dcbs/dpp/violenceprevention.htm>

or

State Domestic Abuse Hotline 1-800-752-6200

Stalking or Domestic Violence

Domestic violence and stalking are unacceptable behaviors and offenders may be disciplined, up to dismissal, for either using workplace resources to commit domestic violence or stalking.

Supervisors should not act as counselors. Supervisors should respond in a non-judgmental fashion to disclosures of abuse and refer the employee to KEAP and local domestic violence, rape crisis or batterer's intervention programs. The role of the supervisor is to address the employee's performance and behavior.

Supervisors should safeguard all information regarding domestic violence or stalking to the extent that disclosures are necessary to protect the safety of other staff. Post information about domestic violence and stalking resources in highly visible places so that employees do not have to ask for the information.

Domestic Violence Scenario

You are Pam's supervisor. Pam has a history of getting a lot of phone calls at work from her husband. Often she appears visibly distressed and anxious after their conversations. Lately, Pam has been asking to leave work early, and when she had a bruise on her arm last week you begin to question if something is wrong. This week she has been especially quiet, keeping to herself and appearing tearful at times. You are worried that if you ask her about it directly she will see you as nosy, but still you feel like you should say something.

Should you:

- A. Tell her co-workers about your concerns.
- B. Try to make Pam feel better by saying "Nothing's really that bad, cheer up."
- C. Show your concern and listen to Pam.
- D. Give Pam advice about how she could handle her personal problems differently.

Domestic Violence Scenario Answer

The answer is C. ***Show your concern and listen to Pam.***

Recognize:

Pam presented signs that she might be a victim of domestic violence: disruptive phone calls, signs of anxiousness, visible injury, isolation and absenteeism.

Respond:

Here are some ideas about how to talk to a co-worker if you are worried about them:

You: I am worried about you. You seemed pretty upset today after that phone call. And last week, I noticed a bruise on your arm.

Pam: Oh, it was nothing, really.

You: Are you sure? I'm concerned about you – I thought that maybe someone hurt you.

Pam: It was just an argument between my husband and me.

You: No one deserves to be hurt by anybody. If you want to talk about it, I'm here to listen. I also have a phone number to a confidential help line if you want to talk to someone about what's happening and what you can do about it.

Domestic Violence Scenario cont.

If you are wrong? At the worst, she's angry, but knows you are a caring person.

If you are right? If she tells you that she is being abused, do the following:

Just Listen: Listening can be one of the best ways to help.

Keep it Confidential: Don't tell others what's been shared with you. If there is a direct threat of violence at work, talk to the supervisor together.

Refer:

Provide Information, Not Advice: Give her the phone number to the Kentucky Employee Assistance Program **1-800-445-KEAP** or the National Domestic Violence Hotline **1-800-799-SAFE**.

Be There and Be Patient: Coping with abuse takes time. She may not do what you expect her to do when you expect her to do it. If you think it is your job to fix the problem, you may end up feeling frustrated. Instead focus on building trust, and being supportive.

Tell Her It's Not Her Fault: Other women get hurt also, and there are resources to help.

Situations Involving Destruction of Property

- The Agency Consulting Team should contact law enforcement.

Situations Involving Bomb Threats

- State owned facilities should follow procedures found in <http://finance.ky.gov/services/statebuilding/Pages/emergency.aspx>
- All others should adjust procedures based on location.

Using Verbal De-escalation

Verbal De-escalation is what we use during a potentially dangerous, or threatening, situation in an attempt to prevent a person from causing harm to us, themselves or others.

Verbal De-escalation consists of tactics to help limit the number of staff who might be injured on the job.

To learn more about how to use these tactics take this link to our educational presentation on Verbal De-escalation skills:

<https://personnel.ky.gov/KEAP/Verbal%20De-Escalation%20Skills%20Presentation.ppt>

Post-Incident Response

Common reactions to an act of workplace violence might vary between individuals. Depending on the degree of intensity of the traumatic event, employees can exhibit physical, cognitive, emotional, and behavioral effects from the crisis.

Managers may arrange for post-incident response services by contacting KEAP (1-800-445-KEAP) who may coordinate with the KY Community Crisis Response Board.

Record Keeping

Below are some examples of records that must be kept in a confidential file in compliance with record retention policy:

- Accident reports of work injuries and supervisors' reports for each recorded assault. These should describe the type of assault, who was involved, surrounding circumstances, environment or location, potential or actual cost incurred as a result, lost time, nature of injuries sustained, etc.
- Incidents of abuse, verbal attacks, or aggressive behavior which may be threatening to the worker but do not result in injury.
- Police reports, if applicable.
- Records of all training programs and attendees.

The following forms are available online at:

<https://personnel.ky.gov/Pages/Workplace-Violence-Prevention-Guide.aspx>

- Buildings & Grounds and HR Checklist
- Handling an Emergency Situation
- Agency Contact List
- Agency-Directed Sick Leave Provider Form
- Data Form for Incidents of Workplace Violence

Record Keeping

Record keeping is essential to the success of a workplace violence prevention program. The key to good record keeping is being specific.

Records of injuries, illnesses, accidents, assaults, hazards, corrective actions, and training, among others, can help identify potential problems and solutions for an effective program.

Records are important in the event there is litigation at a later point in time.

The Commonwealth's guide on workplace violence prevention requires that employees report all incidents and threats of workplace violence to their supervisor, WVL, or KEAP.

Once the employee or supervisor has contacted a member of the Agency Consulting Team with a report of workplace violence, the member should notify the entire consulting team within 24 hours.

The Personnel Cabinet will maintain all reports of workplace violence.

Record Keeping



Many employees often hesitate to make reports for the following reasons:

- Lack of confidence
- Being unaware of the value of reporting.
- Being unaware of behaviors that are high-risk.
- Fears of retaliation or confrontation.
- In some work environments, disruptive behavior has become an accepted pattern.

Depending on the circumstances, complete confidentiality cannot be ensured (i.e., if a grievance or appeal is filed), however, consideration will be given to use maximum discretion with information that employees report.

Most importantly, if top-level commitment and involvement is present within an agency, employees may feel more comfortable in bringing their concerns to the attention of management.

Additional Considerations

- Impact on Worksite and Work Schedules
- Staff and Leave
- Work Functions
- Workers' Compensation Claims and OSHA

<https://personnel.ky.gov/Pages/Workplace-Violence-Prevention-Guide.aspx>

Long-Term Considerations

The emotional impact of a workplace violence act continues long after the actual event. Recovery is a process that takes place over time. To begin the return to normal, employees are encouraged to take the following steps following a crisis:

- Talk about it. Talking with others helps to relieve stress and recognize that others share similar feelings.
- Get plenty of rest and exercise, eat regular meals, and avoid excessive drinking and risk-taking activities.
- Spend time with family and encourage children and other family members to discuss their concerns and feelings.
- Maintain as normal a schedule as possible, keeping a balance between working and time off.

Long-Term Considerations

- Make time for relaxing activities.
- Do something positive to help gain a greater sense of control (for example, give blood, take a first-aid class, or donate food or clothing).
- Ask for help; it's not a sign of weakness.
- Talk with trusted relatives, friends, community groups and professionals.
- Employees should take advantage of the services offered by KEAP.

How the Pieces Fit

Purpose: To create an atmosphere where employees understand that workplace violence is unacceptable and can seek support without retaliation to help prevent disruptive behavior in the workplace.

It is important to note that violence in the workplace is a serious safety and health issue. Its most extreme form, homicide, is the fourth-leading cause of fatal occupational injury in the United States. The Commonwealth has in place steps to prevent incidents of workplace violence; however, the reality is that there will always be the possibility for a violent incident to occur.

We all deserve a safe work environment. It is up to each employee to help make the Commonwealth a safe workplace for all. This information is provided to help you protect your worksite by understanding more about how workplace violence starts.



Conclusion

If violence does occur at your workplace, do the following:

- Contact local law enforcement and follow their instructions.
- Notify building security, if applicable.
- Evacuate the scene as quickly as possible.
- Remain calm.

Emergency Phone Numbers

Write in all the emergency numbers for your building. Keep this on your desk by your phone or somewhere else close to your phone for handy reference.

Police, Fire, EMS 911

Building Security _____

Agency Workplace Violence Liaison

Primary

Secondary

KEAP 1-800-445-KEAP or 502-564-5788 (inside Frankfort)

Agency Legal Department

Primary

Secondary

Agency HR Representative

Primary

Secondary

Additional Contacts (for use after hours)

For additional information visit:

- <https://personnel.ky.gov/Pages/Workplace-Violence-Prevention-Guide.aspx>
- <http://www.lrc.ky.gov/kar/101/002/095.htm>
- <https://gsc.personnel.ky.gov/Pages/default.aspx>
- <http://chfs.ky.gov/dcbs/dpp/violenceprevention.htm>
- <http://finance.ky.gov/services/statebuilding/Pages/emergency.aspx>